AMENDMENTS TO THE CLAIMS

1. **(Currently Amended)** ~~The use of a preparation based on~~ A method for the intra-operative treatement of a tumor to inhibit dissemination of tumor cells, which comprises administering to the patient an antibody directed against a tumor-associated antigen~~, for preparing a medicament for the~~ during an intra-operative treatment ~~of tumor patients by~~ whereby immunocomplexing of tumor cells within the scope of the surgical interventions~~, the preparation being utilized for the prophylactic treatment to prevent~~ inhibits dissemination of tumor cells.

2. **(Currently Amended)** The ~~use~~ method according to claim 1, ~~characterised in that~~ wherein the antibody is directed against an epitope of a surface antigen of a tumor cell.

3. **(Currently Amended)** The ~~use~~ method according to claim 1 or 2, ~~characterised in that~~ wherein the tumor cell is an epithelial tumor cell.

4. **(Currently Amended)** The ~~use~~ method according to ~~any one of~~ claim~~s~~ 1~~ to 3~~, ~~characterised in that~~ wherein the antibody is directed against an epitope of an antigen selected from the group consisting of peptides~~,~~ ~~or~~ proteins, ~~in particular EpCAM, NCAM, CEA, the~~ carbohydrates, ~~in particular Lewis Y, Sialyl-TN, Globo H~~, and ~~the~~ glycolipids~~, in particular GD2, GD3 and GM2~~.

5. **(Currently Amended)** The ~~use~~ method according to ~~any one of~~ claim~~s~~ 1~~ to 4~~, ~~characterised in that~~ wherein the antibody is ~~used~~ in an antibody mixture of various antibodies having a specificity for tumor-associated antigens.

6. **(Currently Amended)** The ~~use~~ method according to ~~any one of~~ claim~~s~~ 1~~ to 5~~, ~~characterised in that~~ wherein the antibody functionally activates the immune system, according to an ADCC and CDC effector function.

7. **(Currently Amended)** The ~~use~~ method according to ~~any one of~~ claims ~~1 to 6~~, ~~characterised in that~~ wherein the antibody binds to the tumor-associated antigen with an affinity corresponding to a dissociation constant below a Kd value of 10^{-6} mol/l~~, preferably less than 10^{-7} mol/l, most preferred 10^{-8} mol/l, or less~~.

8. **(Currently Amended)** The ~~use~~ method according to ~~any one of~~ claims ~~1 to 7~~, characterised in that the antibody is derived from murine, chimeric, humanized and/or human sources.

9. **(Currently Amended)** The ~~use~~ method according to ~~any one of~~ claims ~~1 to 8~~, ~~characterised in that~~ wherein the medicament is systemically used with a single dose of at least 50 mg~~, preferably at least 100 mg, most preferred at least 200 mg, to up to 2 g~~ per patient.

10. **(Currently Amended)** The ~~use~~ method according to ~~any one of~~ claims ~~1 to 9~~, ~~characterised in that~~ wherein the medicament is locally applied to the tumor tissue and/or to the wound area.

11. **(Currently Amended)** The ~~use~~ method according to ~~any one of~~ claims ~~1 to 10~~, ~~characterised in that~~ wherein the medicament is administered immediately during or before~~, preferably within 24 hours, preferably within 4 hours, before~~ the surgical intervention.

12. **(Currently Amended)** The ~~use~~ method according to ~~any one of~~ claims ~~1 to 11~~, ~~characterised in that~~ wherein the surgical intervention is carried out for a biopsy and/or for the removal of a solid tumor.

13. **(Currently Amended)** The ~~use~~ method according to ~~any one of~~ claims ~~1 to 12~~, ~~characterised in that~~ wherein the surgical intervention is carried out for a determination regarding the malignancy of a tumor.

14. **(Currently Amended)** The ~~use~~ method according to ~~any one of~~ claims ~~1 to 13~~, ~~characterised in that~~ wherein the antibody is determined on the immunocomplexed tumor tissue after the surgical intervention.

15. **(Currently Amended)** The ~~use~~ method according to ~~any one of~~ claims ~~1 to 14~~, ~~characterised in that~~ wherein the antibody is determined on tumor cells in blood or serum samples.

16. **(Original)** A kit for the intra-operative treatment of tumor patients, comprising
a) a medicament based on an antibody directed against a tumor-associated antigen, and
b) a means for the diagnostic determination of malignant tumor cells which are immunocomplexed with the antibody.

17. **(New)** The method according to claim 4, wherein the antigen is a member selected from the group consisting of EpCAM, NCAM, CEA, Lews Y, Sialyl-TN, Globo H, GD2, GD3 and GM2.

18. **(New)** The method according to claim 7, wherein said Kd value is 10^{-7} mol/l.

19. **(New)** The method according to claim 7, wherein said Kd value is 10^{-8} mol/l.

20. **(New)** The method according to claim 8, wherein said single does is at least 100 mg.

21. **(New)** The method according to claim 8, wherein said single does is at least 200 mg.

22. **(New)** The method according to claim 8, wherein said single does is at most 2 mg.

23. **(New)** The method according to claim 11, wherein the medicament is administered within 24 hours before the surgical intervention.

24. **(New)** The method according to claim 11, wherein the medicament is administered within 4 hours before the surgical intervention.